

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL GORCHOCK,

Plaintiff

v.

**FIRSTENERGY CORP.,
FIRSTENERGY GENERATION LLC,
FIRSTENERGY GENERATION AND
MANSFIELD UNIT 1 CORP.,**

*Defendants/Third-
Party Plaintiffs.*

and

ENERFAB, INC.,

*Third-Party
Defendant.*

**2:17-cv-1494
Electronic Filing**

Consolidated for pretrial purposes with the following actions: (i) 2:17-cv-1496; (ii) 2:17-cv-1497; (iii) 2:17-cv-1499; (iv) 2:19-cv-1323; (v) 2:19-cv-1324; (vi) 2:19-cv-1325; and (vii) 2:19-cv-1329

JURY TRIAL DEMANDED

**ENERFAB, INC.’S UNCONTESTED MOTION TO EXTEND
CASE MANAGEMENT DEADLINES**

Third-Party Defendant Enerfab, Inc. (“Enerfab”), by and through its undersigned counsel, hereby files the following Uncontested Motion to Extend Case Management Deadlines and, in support thereof, avers as follows:

1. This matter arises out of an August 29-30, 2017, industrial workplace incident involving employees of Enerfab who were working in a vault at the Bruce Mansfield Plant located in Shippingport, Pennsylvania.

2. Plaintiffs in these consolidated matters are the estate of two workers who died as a result of the incident, as well as two other workers who were injured.

3. Plaintiffs brought suit against the FirstEnergy Corp., FirstEnergy Generation LLC, First Energy Generation and Mansfield Unit 1 Corp. alleging, *inter alia*, that they negligently operated the Bruce Mansfield Plant and were negligent in connection with the work at issue

performed on August 28-29, 2017. Plaintiffs also brought suit against URS Corporation alleging that its design of a dewatering facility at the Bruce Mansfield Plant contributed to the accident.

4. The matters were ultimately removed to the United States District Court for the the Western District of Pennsylvania.

5. Thereafter, on March 31, 2018, a number of FirstEnergy entities, but not including FirstEnergy Corp., filed voluntary chapter 11 bankruptcy petitions in the U.S. Bankruptcy Court for the Northern District of Ohio.

6. As a consequence of the bankruptcy filing, this Court stayed all of the litigation in this matter.

7. In October 2019 the stay was lifted and the parties resumed litigation of these actions.

8. On May 12, 2020, the FirstEnergy Defendants filed a Third-Party Complaint against Enerfab.

9. Since that time, the parties have engaged in extensive written discovery and depositions, which remain ongoing.

10. Pursuant to the current Case Management Order, all fact discovery shall be completed by March 31, 2022. Plaintiffs shall then serve there expert disclosures and reports by May 2, 2022, while Defendants shall serve their expert disclosures and reports by June 16, 2022. Expert discovery shall be completed on or before August 1, 2022. *See* Docket No. 101.

11. Despite the parties best efforts, to include scheduling at least twelve (12) depositions between the date of this Motion and March 31, 2022, additional depositions and additional written discovery remain outstanding that cannot be completed prior to the current fact discovery deadline.

12. Accordingly, Enerfab respectfully requests this Court enter an Order extending the fact discovery deadline, and all other deadlines, by sixty (60) days.

13. URS Corporation and all of the FirstEnergy Defendants consent to the relief requested.

14. Plaintiffs do not oppose the relief requested.

15. A proposed order granting the requested relief is attached to this Motion.

WHEREFORE, Third-Party Defendant Enerfab, Inc., respectfully requests this Court issue the attached proposed Order.

Date: February 23, 2022

Respectfully submitted,

BY: *s/ Darren M. Newberry*
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to all counsel of Record via email on this day.

Dated: February 23, 2022

BY: *s/ Darren M. Newberry*
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